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SUNPOWER CORPORATION, THOMAS H. WERNER,  
DENNIS V. ARRIOLA, and EMMANUEL T. HERNANDEZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE SUNPOWER SECURITIES  
LITIGATION

Case No. CV 09-5473-RS (JSC)  
(Consolidated)

**CLASS ACTION**

**NOTICE REGARDING EXHIBITS  
3 AND 6 FILED WITH  
DECLARATION SUPPORTING  
MOTION FOR JUDGMENT ON  
THE PLEADINGS (DKT. NOS.  
219-3 AND 219-6)**

Judge: Hon. Richard Seeborg  
Courtroom: 3, 17th Floor  
Hearing Date: October 25, 2012  
Hearing Time: 1:30 p.m.

1 NOTICE TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:

2 On September 19, 2012, counsel for Defendants were informed of technical issues relating  
3 to accessing Exhibits 3 and 6 to the Declaration of Andrew S. Bernick in Support of Defendants'  
4 Motion for Partial Judgment on the Pleadings Regarding Forward-Looking Statements and Vague  
5 Statements of Corporate Optimism ("Bernick Declaration"), which were electronically filed on  
6 September 14, 2012 (Dkt. Nos. 219-3 and 219-6).

7 Pursuant to guidance received from the ECF Helpdesk, Defendants are filing those two  
8 Exhibits as Exhibits 3 and 6 to this Notice and "linking" them to the Bernick Declaration.  
9 Defendants will then notify the Helpdesk that the Exhibits have been re-filed so the Helpdesk can  
10 allow the Exhibits to be accessed through the electronic docket entries for the originally-filed  
11 Exhibits 3 and 6.

12 Respectfully submitted,

13 Dated: September 21, 2012

MORRISON & FOERSTER LLP

14  
15 By: /s/ Craig D. Martin  
Craig D. Martin

16 Attorneys for Defendants  
17 SUNPOWER CORPORATION, THOMAS H.  
18 WERNER, DENNIS V. ARRIOLA, and  
EMMANUEL T. HERNANDEZ  
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**ECF ATTESTATION**

I, Andrew S. Bernick, am the ECF User whose ID and Password are being used to file the foregoing document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Craig D. Martin has concurred in this filing.

Dated: September 21, 2012

MORRISON & FOERSTER LLP

By: /s/ Andrew S. Bernick